

MIRIAM TAUBER LAW

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December 19, 2021

Via ECF

Hon. Paul A. Engelmayer, U.S.D.J. (S.D.N.Y.)

Re: Donoghue et. al., v. Tannenbaum et. al., No. 21-CV-4770 (PAE)
Letter Motion re: Summary Judgment Brief filed Approx. 40 minutes late

Dear Judge Engelmayer:

I am one of the attorneys for Plaintiffs. I submit this letter motion in response to fn.2 of Defendant's Brief in Opposition to Plaintiffs' Summary Judgment Motion (Dkt #56 , at p.2), which points out that Plaintiffs' Summary Judgment Brief was filed at approximately 12:40 am, or about 40 minutes after the midnight deadline (*see* Dkt #49).

On behalf of the Plaintiffs, I apologize for the 40-minute delay in filing Plaintiffs' Brief, and respectfully ask the Court to permit the late filing *nunc pro tunc*. Plaintiff notes that Plaintiffs' Notice of Motion, and Rule 56.1 Statement, and supporting Declaration and Exhibits were filed before the midnight deadline (*see* Dkt #46 - #48). Plaintiffs regret that last minute difficulties in formatting the Brief for filing prevented Plaintiffs from filing the Brief together with the Notice of Motion and other supporting papers.

Plaintiffs again express their regret and apologize to the Court and to opposing counsel for any inconvenience.


Respectfully Submitted,

s/ Miriam Tauber
Miriam Tauber (MIRIAM TAUBER LAW PLLC)
Attorney for Plaintiffs Donoghue and Rubenstein

cc: all counsel (via ECF)

Granted. SO ORDERED.

Dated: December 21, 2021.



PAUL A. ENGELMAYER
United States District Judge